Steven L. Weinstein (#67975)
steveattorney@comcast.net
P.O. Box 27414
Oakland, CA 94602
Tel: (510) 336-2181
Fax: (510) 336-2181

[Additional counsel appearing on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LOUIS FLOYD, individually and on behalf of all others similarly situated, Plaintiff, v. **SARATOGA DIAGNOSTICS, INC.**, a California corporation, and **THOMAS PALLONE**, an individual, Defendants.	Case No. 5:20-cv-01520-LHK **PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT AGAINST NON-APPEARING DEFENDANTS**

Pursuant to Fed. R. Civ. P. 55(a), Plaintiff Louis Floyd ("Plaintiff" or "Floyd"), hereby respectfully requests that the Clerk of Court enter default against the following Defendants who have failed to appear, answer, or otherwise defend this action:

1. Saratoga Diagnostics, Inc. ("Saratoga"); and

2. Thomas Pallone ("Pallone"), an individual.

Defendant Pallone was served June 8, 2020 (dkt. 22), placing his deadline to respond to Plaintiff's Complaint on June 29, 2020. Plaintiff served Defendant Saratoga via the California Secretary of State on August 17, 2020 (dkt. 27), placing its deadline to respond to Plaintiff's Complaint on September 8, 2020. Neither Saratoga nor Pallone has answered, appeared, or reached out to Plaintiff's counsel.

The Affidavit of Default, attached hereto as Exhibit A, further support this request.

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Respectfully submitted,

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Dated: October 7, 2020

LOUIS FLOYD, individually and on behalf of all others similarly situated,

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By: /s/ *Taylor T. Smith*

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One of Plaintiff's Attorneys

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Steven L. Weinstein (#67975)
steveattorney@comcast.net

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P.O. Box 27414
Oakland, CA 94602

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Tel: (510) 336-2181
Fax: (510) 336-2181

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Patrick H. Peluso*
ppeluso@woodrowpeluso.com

12

Taylor T. Smith*
tsmith@woodrowpeluso.com

13

Woodrow & Peluso, LLC
3900 E. Mexico Ave., Suite 300

14

Denver, CO 80210
Telephone: (720) 213-0676

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Facsimile: (720) 927-0809

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Counsel for Plaintiff and the Putative Class

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*pro hac vice

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